

### REMARKS

Claims 1 to 8 are pending in this application, of which claim 1 and 6 are independent.

Favorable reconsideration and further examination are respectfully requested.

Claims 1 to 5 and 8 were rejected under 35 U.S.C. § 102(e) over Lyon et al. (U.S. Patent No. 6,151,299). As shown above, Applicants have amended the claims to define the invention more clearly. In view of these amendments, withdrawal of the art rejection is respectfully requested.

Claim 1, as amended, is directed to a method for removing ATM cells from a frame in a waiting list. The method includes storing a frame start identifier that identifies an ATM cell in the waiting list that immediately precedes a first ATM cell of the frame. The method also includes calling the frame start identifier before removal of the ATM cell of the frame. The frame begins farthest toward a back of the waiting list.

The applied art is not understood to disclose or suggest the foregoing features of claim 23. In particular, Lyon does not disclose or suggest that the frame begins farthest toward a back of the waiting list.

In this regard, Lyon describes a system that includes removing a frame closest to the front of the waiting list. Lyon starts eliminating ATM cells from frame 42 at the front of the waiting list (See FIG. 2B of Lyon). Lyon does not mention removing cells from frame 44, which in FIG. 2B is further back in the waiting list than FIG. 2B. Therefore, Lyon does not disclose or suggest the frame begins farthest toward a back of the waiting list.

For at least the foregoing reasons, Applicants submit that claim 1 and its dependent claims are allowable.

Claim 6, as amended, is directed to a method for removing ATM cells from a frame in a waiting list. The method includes storing a predetermined inhibit value so that the ATM cells of the frame cannot be removed from the waiting list when the first ATM cell of the frame is followed in the waiting list by an individual ATM cell allocated to any frame. The frame begins farthest toward a back of the waiting list.

The applied art is not understood to disclose or suggest the foregoing features of claim 23. In particular, neither Lyon nor Caldara disclose or suggest a frame begins farthest toward a back of the waiting list.

Based on the foregoing remarks, Applicants have submitted that Lyon does not disclose or suggest that the frame begins farthest toward a back of the waiting list.

Caldara describes removing cells from a frame; however, he does not describe removing cells from a frame beginning at the farthest toward a back of the waiting list.

Even if Lyon and Caldara were combined, none of the features of the resulting hypothetical combination discloses or suggests that the frame begins farthest toward a back of the waiting list. Applicants submit that claim 6 and its dependent claim 7 are allowable.

For at least the foregoing reasons, Applicants request withdrawal of the art rejections.

In view of the foregoing amendments and remarks, Applicants submit that the entire application is now in condition for allowance. Such action is respectfully requested at the Examiner's earliest convenience.


It is believed that all of the pending claims have been addressed. However, the absence of a reply to a specific rejection, issue or comment does not signify agreement with or concession of that rejection, issue or comment. In addition, because the arguments made above may not be exhaustive, there may be reasons for patentability of any or all pending claims (or other claims) that have not been expressed. Finally, nothing in this paper should be construed as an intent to concede any issue with regard to any claim, except as specifically stated in this paper, and the amendment of any claim does not necessarily signify concession of unpatentability of the claim prior to its amendment.

The correspondence address for Applicants' attorney is shown below. Applicants' attorney can be reached by telephone at the number shown below.

Enclosed is a \$110 check for a One-Month Extension of Time fee. No other fee is believed to be due for this Amendment; however, if any other fees are due, please apply such fees to Deposit Account No. 06-1050 referencing Attorney Docket 12758-051US1.

Respectfully submitted,

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